

WILMER CUTLER PICKERING
HALE AND DORR LLP

Mark D. Selwyn (SBN 244180)
mark.selwyn@wilmerhale.com
950 Page Mill Road
Palo Alto, CA 94304
Telephone: (650) 858-6000
Fax: (650) 858-6100

WILMER CUTLER PICKERING
HALE AND DORR LLP

Leon B. Greenfield (*pro hac vice to be filed*)
leon.greenfield@wilmerhale.com
Amanda L. Major (*pro hac vice to be filed*)
amanda.major@wilmerhale.com
1875 Pennsylvania Avenue NW
Washington, DC 20006
Telephone: (202) 663-6000
Fax: (202) 663-6363

*Attorneys for Plaintiffs
Intel Corporation, Apple Inc.*

WILMER CUTLER PICKERING
HALE AND DORR LLP

William F. Lee (*pro hac vice to be filed*)
william.lee@wilmerhale.com
Joseph J. Mueller (*pro hac vice to be filed*)
joseph.mueller@wilmerhale.com
Timothy D. Syrett (*pro hac vice to be filed*)
timothy.syrett@wilmerhale.com
60 State Street
Boston, MA 02109
Telephone: (617) 526-6000
Fax: (617) 526-5000

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

INTEL CORPORATION and APPLE INC.,

Plaintiffs,

v.

FORTRESS INVESTMENT GROUP LLC,
FORTRESS CREDIT CO. LLC, UNILOC
2017 LLC, UNILOC USA, INC., UNILOC
LUXEMBOURG S.A.R.L., VLSI
TECHNOLOGY LLC, INVT SPE LLC,
INVENTERGY GLOBAL, INC., DSS
TECHNOLOGY MANAGEMENT, INC., IXI
IP, LLC, and SEVEN NETWORKS, LLC,

Defendants.

Case No. 19-7651

**INTEL CORPORATION'S
ADMINISTRATIVE MOTION TO
CONSIDER WHETHER CASES
SHOULD BE RELATED**

1 Pursuant to Civil Local Rules 3-3(c) and 3-12, Plaintiff Intel Corporation (“Intel”)
2 respectfully submits this Administrative Motion to Consider Whether Cases Should Be Related so
3 that the Court may consider whether this case is related to *Intel Corporation v. Fortress Investment*
4 *Group LLC, et al.*, No. 5:19-cv-06856-EJD (N.D. Cal.) (“-6856 Action”). Intel filed the -6856
5 Action in this District on October 21, 2019; it was initially assigned to Magistrate Judge Jacqueline
6 Scott Corley and then reassigned to Judge Edward J. Davila on November 5, 2019. Intel voluntarily
7 dismissed the -6856 Action on November 20, 2019 pursuant to Federal Rule of Civil Procedure
8 41(a)(1)(A)(i).

9 Under N.D. Cal. Civil L.R. 3-12(a)(1)-(2), “[a]n action is related to another when: (1) The
10 actions concern substantially the same parties, property, transaction or event; and (2) It appears
11 likely that there will be an unduly burdensome duplication of labor and expense or conflicting results
12 if the cases are conducted before different Judges.”

13 The -6856 Action concerned Intel and Defendants Fortress Investment Group LLC
14 (“Fortress”), Fortress Credit Co. LLC, VLSI Technology LLC, and DSS Technology Management,
15 Inc. The present action adds parties: Apple is another plaintiff, and there are seven new defendants:
16 Uniloc 2017 LLC, Uniloc USA, Inc., Uniloc Luxembourg, S.à.r.l., INVT SPE LLC, Inventergy
17 Global, Inc., IXI IP, LLC, and Seven Networks, LLC.

18 Both the -6856 Action and the present action include claims under the Sherman Act, the
19 Clayton Act, and Cal. Bus. & Prof. Code § 17200 et seq. Both actions arise from anticompetitive
20 patent aggregation by Fortress and a web of PAEs that Fortress owns or controls, with various
21 particularized facts as to Intel and Apple.

22 The -6856 Action was in its infancy at the time it was dismissed. No defendants had
23 answered or otherwise responded. On November 15, the Court granted a stipulation filed by Intel
24 and three of the four defendants setting a deadline of January 6, 2020 for those defendants to answer
25 or otherwise respond to Intel’s Complaint.
26
27
28

1 Dated: November 20, 2019

WILMER CUTLER PICKERING
HALE AND DORR LLP

2
3
4 By: /s/ Mark D. Selwyn
Mark D. Selwyn

5 Mark D. Selwyn (SBN 244180)
6 mark.selwyn@wilmerhale.com
WILMER CUTLER PICKERING
7 HALE AND DORR LLP
950 Page Mill Road
8 Palo Alto, CA 94304
Telephone: (650) 858-6000
9 Facsimile: (650) 858-6100

10 William F. Lee (*pro hac vice to be*
11 *filed*)
william.lee@wilmerhale.com
12 Joseph J. Mueller (*pro hac vice to be*
13 *filed*)
joseph.mueller@wilmerhale.com
14 Timothy Syrett (*pro hac vice to be*
15 *filed*)
timothy.syrett@wilmerhale.com
16 WILMER CUTLER PICKERING
17 HALE AND DORR LLP
60 State Street
18 Boston, MA 02109
Telephone: (617) 526-6000
19 Facsimile: (617) 526-5000

20 Leon B. Greenfield (*pro hac vice*
21 *pending*)
leon.greenfield@wilmerhale.com
22 Amanda L. Major (*pro hac vice to be*
23 *filed*)
amanda.major@wilmerhale.com
WILMER CUTLER PICKERING
24 HALE AND DORR LLP
1875 Pennsylvania Avenue, N.W.
25 Washington, DC 20006
Telephone: (202) 663 6000
26 Facsimile: (202) 663 6363

27 *Attorneys for Plaintiff*
28 *INTEL CORPORATION*

CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury under the laws of the United States that a true and correct copy of the above and foregoing document has been served on November 20, 2019 to all counsel of record who are deemed to have consented to electronic service via the Court's ECF system per Civil Local Rule 5-1.

DATED: November 20, 2019

By: /s/ Mark D. Selwyn
Mark D. Selwyn